

## **REMARKS/ARGUMENTS**

### **Summary of the Examiner's Actions**

Claims 1-11, 14, 15, 18-40 are currently pending. Claims 12, 13, 16 and 17 were previously cancelled.

The examiner rejected Claims 1-7, 9, 10, 14, 18, 19, 21-30, 32 and 33 under 35 U.S.C. § 102(e) as being anticipated by Meyer *et al.*, U.S. Patent No. 6,380,130 ("the '130 patent"). The examiner rejected Claims 1, 3, 5, 6, 21, 23 and 24 under 35 U.S.C. § 102(b) as being anticipated by Levy, U.S. Patent No. 5,939,086 ("the '086 patent"). Applicant acknowledges the rejections under 35 U.S.C. § 102. The examiner rejected Claims 4, 9, 11, 15, 20, 32, 34-35 and 37-39 under 35 U.S.C. § 103(a) as being unpatentable over Mayer in view of Benson, U.S. Patent 5,092,858 ("the '858 patent"). Applicant acknowledges the rejection under 35 U.S.C. § 103(a). The examiner objected to Claims 8, 31, 36 and 40 as being dependent upon a rejected base claim and indicated that Claims 8, 31, 36 and 40 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Applicant appreciates such indication.

### **Objections to the Claims**

In view of the Examiner's indication that Claims 8, 24, 31, 36 and 40 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims, Claim 8 has been amended to include the limitations of Claims 1-7. Claims 1-7, have been cancelled, without prejudice, in view of the amendment to Claim 8. Claims 9, 10 and 11 have been amended in view of the amendment to Claim 8 and cancellation of Claim 5. Claims 18-22 have been cancelled, without prejudice. Claim 23 has been amended to include the limitations of Claim 24, which has been cancelled, without prejudice. Claim 25 has been amended in view of the amendment to Claim 23 and cancellation of Claim 24. Claim 31 has been amended to include the limitations of Claims 26, 28-30. Claims 26-30 and 33 have been cancelled, without prejudice, in view of the amendment to Claim 31. Claims 32, 37 and 38 have been amended in view of the cancellation of Claim 28 and amendment of Claim 31. New Claim 41 has been presented to include all of the limitations of amended Claims 31 and 34-36.

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Claims 34-36 have been cancelled, without prejudice, in view of the amendment of Claim 31 and the presentation of Claim 41. New Claim 42 has been presented to include all of the limitations of Claims 31, 28 and 38-40. In view of the amendment to Claim 31, it is respectfully submitted that new Claim 42 and Claim 40 as now presented are patentably distinct in that Claim 40 now includes limitations not presented in Claim 42.

In view of the amendments to Claims 1, 9, 10, 23, 25, 26, 32, 37 and 38, the cancellation of Claims 2-8, 14, 15, 18-22, 24, 27-31 and 33-36, and the presentation of new Claims 41 and 42, it is respectfully submitted, as indicated by the Examiner, that all claims as now presented are in condition for allowance.

**Rejections under 35 U.S.C. § 102(b) and (e)**

In view of the above-stated amendments to the claims, it is respectfully submitted that Examiner's rejections under 35 U.S.C. § 102(b) and (e) have been overcome. Notwithstanding, Applicant maintains his position that the present invention as previously claimed is patentably distinct from the cited prior art.

**Summary**

In view of amendments to Claims 1, 9, 10, 23, 25, 26, 32, 37 and 38, the cancellation of Claims 2-8, 14, 15, 18-22, 24, 27-31 and 33-36, and the presentation of new Claims 41 and 42, and further in view of the distinguishing remarks made above, it is respectfully submitted that the Examiner's rejections have been overcome and that the application is now in condition for allowance.

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Respectfully submitted,  
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